

OPERATING ENGINEERS LOCAL
NO. 101 PENSION FUND, ET AL.,

Plaintiffs,

V.

UTILITY CONSTRUCTION, LLC

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

Case No. 04-1031-CV-W-DW

ORDER

Before the Court is Plaintiff's Notice of Voluntary Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(I). Accordingly, this action is dismissed without prejudice.

IT IS SO ORDERED

/s/ DEAN WHIPPLE
Dean Whipple
United States District Judge

DATE: September 15, 2005